

PROCEEDINGS

of a

MILITARY COURT FOR THE  
TRIAL OF WAR CRIMINALS

held at

LUNEDUNG, GERMANY,

on

WEDNESDAY, 19 SEPTEMBER, 1945,

upon the trial of

JOSEF KRAMER

and

44. Others.

T H E R D D A Y.

Transcript of the Official  
Shorthand notes.

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(At 1000 hours the Court re-assembled  
pursuant to adjournment the same -  
President, Members and Judge Advocate  
being present)

THE PRESIDENT: I understand that a new interpreter has arrived and a new shorthand-writer, and first of all we will have the interpreter sworn and then the shorthand-writer. Are you satisfied with the interpreter?

MR. JERZEWICZ: Yes.

(Captain McLaren, a Liaison M.Q., the  
Interpreter, is duly sworn)

(The shorthand-writer, Staff-sergeant  
Wootton L.S. is duly sworn)

THE JUDGE ADVOCATE: Are you ready to proceed with the re-examination, Colonel Backhouse?

COL. BACKHOUSE: Yes.

BRIGADIER HUGH LLEWELLYN GLYNN HUGHES, C.B.E.,  
D.S.O., M.C. is recalled on his former oath  
and re-examined by COL. BACKHOUSE as follows:-

Q You were asked a number of questions yesterday, first of all about the necessity for guarding stores, and you were asked about the placing of tanks around them, and a certain amount of disturbance and firing by British troops during the following night. Was there a single casualty amongst the internees as a result of any firing by British troops? A. Not one.

Q Was any serious difficulty experienced in controlling the internees without force? A. None.

Q You were also asked about persons who had been beaten up, and you told us that you saw one case of somebody who had been badly beaten up. Did you make any general examination of patients? Was that any part of your work? A. That was no part of my work. I was much too busy organising measures to deal with the situation.

Q The court know what the work of a D.D.M.S. is in the middle of a battle, and it is not examining individual patients. A. No.

Q Do you know whether there were in the hospital or blocks cases of persons who had been injured by beating up? A. I understood that there were. I was shown bruises by other internees as I went round.

Q With regard to the question of the figures quoted in your report, you told the court that those were supplied to you - a report of diseases broken down - by Dr. Klein. A. They were supplied to me, but whether he had broken them down himself or not, I do not know.

Q They were supplied to you by Dr. Klein? A. They were.

Q And the figure of surgical cases, for instance, which is a low one, is in no way a result of your own observations? A. No.

Q In one instance you quoted, I think I am right in saying, that he gave a figure of 1700 typhus or theabouts and the correct figure was nearer 10,000? A. nearer 10,000 among both living and dead of the approximate 14,000 people we hospitalised; we actually treated among those 14,000, 3500.

Q You were asked about the sufficiency of the diet. I do not want to go into complicated figures or anything of that kind, but you told us that the diet which the internees were receiving, when they were receiving any, had a caloric value of 800 calories ? A. Under 800.

Q Would that be sufficient to maintain life over a period ? A. No.

Q Would it be inevitable that a person fed on that diet over a period would eventually starve ? A. Absolutely.

Q If, in addition, they were required to work, what would be the effect of that ? A. It would very much hasten the inevitable and

Q You were asked too whether the internees, when they were freed, beat up the S.S. That was their attitude in the presence of the S.S. even after they were freed ? A. After they were freed if one asked an S.S. man any question in front of them and he appealed to them, they were obviously frightened to answer.

Q Can you give any specific instance of that ? A. I can. When I was discussing things with Dr. Klein he told me that he had only been there two days. I appealed to the internees who were round me at the time and they would not answer, but when his back was turned and he was speaking to me again, they nodded in agreement with me that he must have been there longer.

Q You were also asked certain questions about the effect of starvation. You were asked whether it would affect the mental capacity of the person or whether it might lead to hallucinations and fits. Would it, in fact, affect the ability of a person to recount subsequently what had happened to them ? A. Not until he was in extremes.

Q You were also asked a series of questions about the amount of resources it was necessary for the British to employ to put this camp into some sort of order. Was it necessary to employ this field hygiene section, casualty clearing station, and so on, to deal with the situation which had been created there, or were they necessary for the normal running of the camp ? A. They were required to deal with the situation that had been created there.

Q Were there any greater resources available to the British army there than to the Germans before we arrived ? A. I should say at that time the Germans would have had greater resources from the number of troops I know were in the neighbourhood.

Q Were there any medical personnel amongst the internees ? A. A large number.

Q Had there been any attempt by either the commandant, the medical officer, or anyone else on the staff - any German - to organise their services ? A. To my knowledge, no. They had made superhuman efforts themselves although they were not fit.

Q In contrast to the accommodation and facilities in the actual concentration camp, you mentioned yesterday that there was a military hospital and there were some barrack blocks. Can you tell us what Wehrmacht accommodation there was close to that concentration camp ? A. There was this beautiful military hospital which was built actually to accommodate very generously about 500 but in which we were able to put quite comfortably between one and two thousand, and there were eight barrack blocks that had been taken over as a German military hospital for the purpose of battle casualties, I imagine; and in those are approximately 604 patients, I think.

Q One of the reasons you suggested for the death and condition of those people was their apathy, and you were asked whether or not a proper treatment for apathy was to force people out of their bed in the morning. If a man is, in fact, ill and starving, what is the proper thing to do with him in the morning, apart, of course, from feeding him ? A. Feeding him, washing him, and seeing that he is perfectly comfortable. In fact, cases like that require almost individual attention - feeding with small amounts frequently - and everything that can possibly be done for them. They should not be made to make any muscular effort in the extreme condition in which they were.

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Q Could dragging them from their beds by force or beating them from their beds by a proper treatment ? A. No.

Q Could forcing them to stand for sometimes hours at a time on a roll call be a proper treatment ? A. The worst they could do.

Q Could forcing them to work be a proper treatment ? A. No.

Q Did you detect any sign amongst any of the S.S. or guards, the commandant or the doctor at that internment camp of any care for the health or well being of the internees ? A. None at all. They seemed perfectly indifferent.

COL. BACKHOUSE: That completes my re-examination.

THE JUDGE ADVOCATE: This is really a question for my own information. Are you now visiting Belzen camp as it is to-day ? A. I have done quite recently.

Q What exactly has been done to No. 1 Camp to change it from what it was at the time this happened to what it is to-day ? A. No. 1 Camp has been completely evacuated and was burned on the 21st May, except for the administration block which I described as nearest to the road and which was occupied by S.S.

Q Do I understand that it is not now possible to see an example of one of these huts you have mentioned which you say should hold so many and which have had such a large quantity in them ? A. Not in Camp 1, no.

Q There is not, for instance, a cookhouse still existing, is there ? A. I do not think so. There was one brick cookhouse, the walls of which may be standing, but it bears no resemblance to what it was at the time.

Q Do I understand that Camp 2 is substantially in the same condition as it was in April 1945 ? A. Exactly, yes.

A MEMBER OF THE COURT: I want to be clear about the food situation. Can you tell the court whether the food supplies actually in the camp but not issued were sufficient to feed the internees for a period ? A. Yes, for the period of meals. As I explained, I think they must have been replenished at intervals, but there were stocks in the cookhouse which would have supplied meals daily.

Q For a day or two ? A. Yes.

Q Can you tell us where the nearest supply depot used for the camp was, and whether there was a good supply in it ? A. It was within two miles, I think.

Q Was there a good supply ? A. I understand so. I did not actually see myself.

Q Do you know under whose control they were ? A. German military control. There was a bakery, as I described, and I think probably a civilian dairy, which was a very ample one, quite close. I went through the hospital food stocks in detail and they had ample there for six months.

Q Can you tell the court in a little more detail about the medical supplies available in the camp ? A. They were in a hut or building in the administrative area and contained quite large stocks. They were short of certain things - I think dressings, and although I understand a large stock was found in another hut I did not see that - and they were short of anaesthesia, but I do not think they would be required. I described the issue of them. All I can say is that we, within a very short time of going there, collected 45 three-ton loads of captured German medical supplies in that area.

ANOTHER MEMBER OF THE COURT: Apart from the camp doctor what was the German medical staff at the camp ? A. Nil.

THE PRESIDENT: You spoke yesterday of a large number of Red Cross boxes. I quite realise that it was not your job to count them, but could you give the court some idea as to how many there were, say, in three-ton lorries? A. I do not think it was a three-tonner. It was one room full.

THE JUDGE ADVOCATE: It is usual when the court have put their questions to invite defending officers to put through the court, if they so desire, any questions arising out of the questions put by the court. Does any defending officer wish to ask any questions?

MAJOR CRANFIELD: I am not quite clear about the 45 three-ton loads of medical stores. Is it said that they came from Belsen Camp, or from the general area of Bergen and Belsen, including the large Wehrmacht barracks and hospital outside the Belsen Camp?

THE JUDGE ADVOCATE: Perhaps you will answer that question.

THE WITNESS: It included the stores in the camp. We did not take stores from the military hospital that time because we were going to use it, but we drew from the neighbouring area. Owing to the threat of bombing their usual method is to distribute the stores - two tons here, two tons there - and we collected from that immediate area that amount.

THE JUDGE ADVOCATE: I think what the defending officer really wants to know is was it coming from Belsen or from the neighbourhood around? A. Both.

Q. How much from both, roughly? A. We took stocks from Camp 1 and a certain amount in the barrack area.

Q. Can you give the defending officer a rough idea in weight what it would be from Belsen and from the barrack area? A. I should say two or three three-tonners from that area. There were large stocks in the military hospital which would have filled several lorries. The others came from the area. It was really a case of concentrating it into one dispensary and dealing with the whole area. We just took the whole of the stocks, excluding the military hospital, from that particular part and collected from the surrounding country.

THE JUDGE ADVOCATE: I think you have got what you want now.

MAJOR CRANFIELD: Yes.

THE JUDGE ADVOCATE: Has any other defending officer any questions to ask?

(The defending officers had no further questions)

(The witness withdrew)

COL. BACHHOUSE: I propose next to put in the affidavit of Colonel Johnson which I will ask Major Maxton-Middle to read. That completes the medical picture.

THE PRESIDENT: What is the number?

COL. BACHHOUSE: It is page 66. I will hand in the original first.

MAJOR WINWOOD: Before this deposition is handed in I should like to object to three paragraphs, namely, 8, 9 and 10 on the ground that it is merely comment on the point which it is the court's duty to decide.

THE JUDGE ADVOCATE: We must get down to realities. If you are going to object to some portion of a document it is obvious, is not it, that the court must see that document in order to follow your argument. It is no use your telling these officers of the court that you object to a document which is not before them. I do not know what you propose to do about that.

MAJOR WINWOOD: If they are not allowed they will not remain as evidence.

THE JUDGE ADVOCATE: In what way do you propose that the court should deal with these paragraphs other than by having the document put in, hearing your argument about those paragraphs, and then deciding whether they should be used or not in this case? That is the only way we can do it. Is there an objection to the document being put in by the prosecution as far as its admissibility is concerned?

MAJOR WINWOOD: No.

THE JUDGE ADVOCATE: I would prefer you to read this exhibit, Colonel Backhouse, and if there is an objection going to be made you can stop.

COL. BACKHOUSE: Yes.

THE JUDGE ADVOCATE: The next point that arises is do the defending officers on behalf of the German accused and of half of the Polish accused require these affidavits, which will be read to the court in English, to be translated into German and Polish, or is it possible that they have been before the accused in the form of a document and it is not necessary to read them to the accused because they already know what is in it? I am seeking your guidance on this for the information of the President of the court.

MAJOR CRANFIELD: The documents have not been before the accused in German or in Polish. I understand an abstract in English was handed to each of the accused. I would suggest for myself that it would save time if a typewritten translation into both German and Polish were made and handed to the defending officers - four copies to each defending officer - and they can then be handed on to the accused. I do not think it is necessary for the document to be translated now providing we can have copies later on this evening.

THE PRESIDENT: Are there any arrangements by which this document can be typed both in German and Polish?

COL. BACKHOUSE: I really do not think it is a practicable proposition. It will take some considerable time to have that done for the many documents which are going to be put forward. I remember having quite a short document translated from German into English for use when we were planning Eclipse, and that took some six weeks. I think to have these translated would certainly take a considerable time. In my opinion the suggestion that they should be done to-night is absolutely out of the question. I would point out that the defending officers and accused were supplied with this in English and an interpreter was made available to each one. I am sure it would be very much quicker to have the whole thing translated as we go along rather than try to have a written translation.

THE PRESIDENT: It seems to me the best way to do this is for you to put the document in, subject to any objection and decision by the court, then it can be handed first of all to the German interpreter who can read the whole document straight off so that the accused will hear it; and then it can be given to the Polish interpreter who can do the same thing. Is there any objection to that from the point of view of the defending officers?

MAJOR CRANFIELD: No, except that that will take rather more time.

THE PRESIDENT: I think although it may appear to take more of our time now, the time, as the prosecuting officer says, to get 45 copies typed into both German and Polish will take much longer.

MAJOR CRANFIELD: With my limited resources I have been able to have translated and typed the pages of this abstract which affect my accused, and as I understand this document is the only document to be handed in to-day, I should not have thought it was beyond the capabilities - - -

COL. BACKHOUSE: If the defending officer can have that done the whole thing seems academic because they have what they want.

MAJOR CRANFIELD: Not this one. This is the only document we have.

THE JUDGE ADVOCATE: As I understand it it comes down to this particular document to-day.

COL. BACKHOUSE: Yes, but this is going to happen daily, and later on I am afraid there will be a lot more in one given day. I have no doubt that the particular document put in to-day could be translated, but one wants to have the same method we are going to adopt throughout the trial.

THE JUDGE ADVOCATE: Would it satisfy the defence if these documents were read over by an interpreter to the accused in the evening, or is that going to cause trouble as regards your instructions?

MAJOR CRANFIELD: I think if we cannot have copies in German and Polish it would be better to have them translated after they have been read through in court.

THE PRESIDENT: That is the procedure we will adopt.

(Deposition is marked Exhibit 3, signed by the President and attached to the proceedings)

COL. BAGHOUSE: "Deposition of Lieutenant-Colonel James Alexander Deans Johnston, Deposition of Lieutenant-Colonel James Alexander Deans Johnston, R.A.M.C., sworn before me Major Savile Geoffrey Champion, R.A., Legal Staff, No. 4 War Crimes Investigation Team.

1. I command 32 (British) Casualty Clearing Station and was Senior Medical Officer at Boisn Concentration Camp.

A/ 2. I arrived at Boisn Concentration Camp about 0900 hours on 17th April 1945.

3. I went round the camp and found that it consisted of one main camp which had been in use for a considerable time and was hutted. This was Camp No. 1. On going into the entrance there were huts occupied by the German Camp Staff. One then passed through a gate in the wire where the main part of the prisoners' camp was. This consisted of three Lagers, one male and two female. There was also a female Lager immediately adjoining on the north. The conditions which I shall describe applied equally to all the Lagers in Camp No. 1.

4. Camp No. 2 consisted of brick buildings and was in part of the German barracks and lay about one mile from Camp No. 1. I am informed and verily believe that Camp No. 2 had only been in existence for a few weeks.

5. The following is an account of the conditions I saw on entering these two camps on 17th April 1945. It is quite impossible to give any adequate description on paper of the atrocious, horrible, and utterly unknown condition of affairs.

Camp No. 1. The prisoners were a dense mass of emaciated apathetic scarcrows huddled together in wooden huts, and in many cases without beds or blankets, and in some cases without any clothing whatsoever. The females were in worse condition than the men and their clothing generally, if they had any, only filthy rags.

The dead lay all over the camp and in piles outside the blocks of huts which housed the worst of the sick and were miscalled hospitals. There were thousands of naked and emaciated corpses in various stages of decomposition lying about this camp. As far as can be ascertained there were some 15000 dead lying unburied.

Sanitation was to all practical purposes non-existent. Pits, with, in only a few instances, wooden perch rails, were available in totally inadequate numbers. The majority of inmates, from starvation, apathy and weakness, defecated and urinated where they sat or lay, even inside the living huts.

Ablution arrangements were completely inadequate.

There was no running water or electricity. All water was brought in by British water trucks.

Camp No. 2. Conditions in this camp were improved in comparison with Camp No. 1, but only in comparison. The conditions were, compared with any ordinary decent mode of keeping prisoners, vile and evil. The inmates were housed in buildings, 600 to a building of 150 capacity. The inmates appeared better clad and generally less emaciated than in Camp No. 1, but signs of starvation were everywhere. I did not see any corpses lying in Camp No. 2.

Diseases Prevalent.

Camp No. 1. Typhus, tuberculosis and starvation disorders were rife.

Camp No. 2. Enteritis, Tuberculosis, erysipelas. There was no typhus in this camp.

6. The conditions at both camps but more so at Camp No. 1, were such that deaths in very large numbers were bound to occur from (i) Starvation. There was obvious evidence of extreme and systematic starvation both in the living and the dead. (ii) Gross overcrowding combined with totally inadequate sanitation. In Camp No. 1 things varied to some extent from hut to hut, but in every case the accommodation was grossly inadequate. It is a fair general statement to say that in Camp No. 1 ten people were being accommodated in space reasonably sufficient for one person, whilst in Camp No. 2 four people were being accommodated in space reasonably sufficient for one person. The sanitation in Camp No. 1 would have been quite inadequate even if this camp had housed only a reasonable number - say one tenth of those found there. This state of affairs had led inevitably to the outbreak of diseases, particularly typhus in Camp No. 1, the whole aggravated in Camp No. 1 (but not initially caused by) failure to bury the dead.

7. It is impossible to give exact figures, but I have no doubt whatever that many of those who were lying dead and those who afterwards died were killed from the effects of starvation pure and simple combined with the appalling conditions under which the prisoners were forced to live. Of those who died of disease it is fair to say that the vast majority, at the very least, had been so weakened by starvation as to have no chance of resisting the onset of disease." That is the point where my friend wishes to object.

MAJOR WINWOOD: The objection is to the next three paragraphs as comment on the very point which the court has been convened to decide, and as such is not relevant evidence for the prosecution.

COL. BACKHOUSE: In my submission, the opinions expressed in those three paragraphs are opinions which a medical man who has examined the circumstances is perfectly entitled to give for the benefit of the court. He is a medical witness and he had the opportunity of seeing what happened, and is entitled to express his opinions as a medical man for the benefit and guidance of the court. Of course, it is entirely a matter for the court to decide how far they accept the opinions expressed by Lt. Col. Johnston.

THE JUDGE ADVOCATE: Now we are in the difficulty again that the court must no what is in the paragraphs to decide whether they will admit them or not.

COL. BACKHOUSE: That is inevitably so under the system of courts-martial, by which the court is both judges of law and fact. The court must, in fact, read themselves or have read to them the paragraphs in order that they may consider the legal point. Then they must do the impossible and say: "We refuse to allow those to be put before us and in our capacity as judges of fact we will ignore them, although in our capacity as judges of law we must consider them first."

THE JUDGE ADVOCATE: I am prepared to advise the court that they should pay no attention to the opening part of paragraph 10. I do find that rather objectionable myself.

COL. BACKHOUSE: I do not want to press anything at all if you do not think I should, and I will leave out the whole of paragraph 10 if you think it should be left out.

THE JUDGE ADVOCATE: I think the man swearing this affidavit was going rather outside his province there, and if we can agree it without troubling the court I suggest you do not read paragraph 10. The other two are a matter for the court to decide. I am not prepared to advise the court about 8 and 9. Perhaps they had better be read to the court and let us decide.

COL. BACKHOUSE: 8. In my opinion all those in any way responsible for ordering, or carrying out orders, which resulted in the state of affairs hereinbefore described must inevitably have known that it was bound to result in deaths on a gigantic scale, and that such deaths were the only possible outcome of such orders and the carrying out of such orders. In short, such

orders and the carrying out of such orders was mass murder.

9. The medical arrangements made by the Germans for the succour of the sick were so grotesquely inadequate as to be fairly described as 'nil'. All those concerned in the German medical services by failure to provide any adequate succour were making it quite certain that none of the very large number of deaths arising from the state of affairs hereinbefore described would be prevented and the German Medical services must be held as responsible as all others concerned, (and as accomplices in mass murder.)

(The Court confer)

THE PRESIDENT: The view of the court is that in paragraph 8 the last sentence which starts "In short" should not be put in, and that in paragraph 9 the six words starting "and as accomplices" should also not be put in. Paragraph 10 does not fall within the justifiable opinion of a medical officer and therefore should not be put in, but paragraphs 8 and 9 are perfectly fair comment by a medical officer.

COL. BACKHOUSE: There is one other thing. You will appreciate that the exhibit must be put in as it is complete, and I am not sure that while I would not ask the court to read or give any weight to anything they think is wrong the question of handing in and objection might be saved by the fact that it would appear from Regulation 8(1) that any oral statement or document may be put before the court notwithstanding that it would not be admissible in evidence, and it is left to the court to add what weight they think to it. While I would not read anything which you indicate should not be read, nevertheless to save time and objection and so on I suggest the document should go in in its complete form and the court give such weight to it as they think fit and to which part they think fit.

THE JUDGE ADVOCATE: I agree the regulation is very wide, but I do not think it does prevent the court from saying, in certain circumstances, "We do not think we would like to have that evidence in at all."

COL. BACKHOUSE: No, Sir; the difficulty being out to put in part of an affidavit.

THE JUDGE ADVOCATE: I think the court have solved it fairly easily. We will not accept this officer's opinion on these points.

COL. BACKHOUSE: Yes. I think we may leave it that the court does take the document and then give what weight to it they wish. I will read the rest: "11. It is not possible to tell how long the state of affairs had existed in Camp No. 1, but it would appear probable that they had existed for some considerable period and certainly for two months before I arrived on the 17th April 1945.

12. It has been impossible to obtain exact figures existing at the beginning as the German authorities at the camp had caused their records either to be destroyed or removed. It would appear that there were approximately 40,000 people still living in Camp No. 1, but a number of these were on the point of death from their previous treatment. In Camp No. 2 I was informed that there is believed to have been about 15000 people. The total number who are known to have died since the British first entered the camp on 15th April 1945 is 13,099, the majority of whom died within a matter of days and were from Camp No. 1, but there were a number of deaths in Camp No. 2.

Again it is impossible to give exact details but it would appear that in Camp No. 1 there were approximately a ratio of two to one as between female and male persons.

13. There were as on the 27th day of May 1945 in hospital in Belsen 11,200 persons all of course being from Camp No.1 or Camp No.2. The total number of deaths on the 27th May 1945 was 54. There are bound to be a number of further deaths.

14. From information hereinbefore given it will be seen that at least 26,000 people have died counting only those whose bodies were unburied when the British arrived and those who have died since despite every medical aid which could be given. It is not known to me how many thousands were killed in this camp before the British arrived but I have no doubt that it must have been a very high figure.

15. The figures given above are necessarily approximate and subject to such final check as the British authorities can make, but they can be taken as substantially correct.

16. Of those who survive a very large proportion will be permanently injured in health through their frightful and inhuman experiences, and in particular tuberculosis will be rife. Further, a very large number of survivors will be, to a greater or lesser degree, impaired in their mental faculties as the result of having been in this horror camp.

Sworn by the said deponent James Alexander Deane Johnston at Belsen Camp

this 29th day of May 1945, before me, (Sgt) S.G. Champion, Major, R.A.

and that is signed by James Alexander Deane Johnston.

(Deposition is translated in German to the accused)

(Deposition is translated in Polish to the accused)

Captain D. A. SINGTON is called in and  
having been duly sworn is examined by  
COL. BACKHOUSE as follows:

Q Your name is Derek A. Sington ? A Yes.

Q You are a Captain in the Intelligence Corps ? A Yes.

Q And in April of this year, were you Commanding No. 14 Asplifying Unit ?  
A I was.

A Q On the 15th April of this year did you go to the entrance of Belsen Camp ?  
A Yes.

B Q Was that for the purpose of making announcements ? A It was.

Q Did you go there before the occupying troops ? A We arrived simultaneously with the leading elements of the occupying troops.

Q Were you also to act as Interpreter for Lieut. Colonel Taylor when he arrived to command ? A Yes.

Q When you arrived at the gate, who did you meet there ? A I met a group of officers there. Some of them were S.S. officers, some of them were Wehrmacht officers and some of them were Hungarian officers - at least one of them was a Hungarian officer.

Q Do you recognise anybody in Court today as any part of that group ?  
A I recognise the prisoner with "1" on his chest.

Q Who is he ? A I subsequently learned on the same day that his name was Kramer.

Q Did you have any conversation with him ? A Yes, I asked him how many prisoners there were in the camp and he told me that there were about 40,000 in his camp and about 15,000 in the other camp which was then, I think, known as No. 2 camp, further up the road.

Q Did he give you any idea of what type of prisoners they were ? A I asked him what type of prisoners were in the camps and he answered: "Habitual criminals, felons, and homosexuals". I can give you the German words if you like. The actual words are "berufsvorbrecher", "Schwerverbrecher", and "Homosexueller".

Q Did he mention any political prisoners at all ? A Only in answer to a direct question from me. I then said: "And what about political prisoners?", to which he answered: "There are also the haftlings".

Q Whilst this conversation was taking place, did anybody else join you ?  
A Only after I had asked another question. I asked what the condition of the camp was and in particular what was the state of feeling among the inmates of the camp, and the S.S. officer Kramer answered: "They are calm at present". I then told him that I proposed to take my loud-speaker car into the camp to make an announcement, whereupon a Hungarian officer stopped forward and said: "I should advise you not to do this; seven people a day are dying here of Fleck typhus".

Q What did you say to that ? A I decided to go up the road to Bergen and try and contact Colonel Taylor to ask for confirmation of my order to go into the camp.

Q Did you find Colonel Taylor ? A No, he had not yet arrived at the Kommandantur, so I returned to the concentration camp to wait for him outside the gates there. He was coming up the road with the cavalcade of armed vehicles.

Q Did you finally enter the camp ? A Yes. Colonel Taylor arrived

arrived a few minutes later and gave me the order to go straight into the camp.

Q On entering the camp, did you make an announcement through your amplifier ? A Before entering the camp I told Kremer that I proposed to enter the camp and he said: "I cannot allow it without authorisation from the Wehrmacht Commandant".

Q However, did you finally go into the camp ? A We did.

Q And did you make an announcement through your amplifier ? A We made the same announcement several times at different points in the camp.

Q When you first made the announcement in the mens camp, what was the effect ? A The general effect was that the men who, when we entered the camp, were mostly near their huts or blocks, came towards the barbed wire, some of them cheering and after a minute or two others began to come through the gateways out of the compounds out on to the main roadway of the camp where we were making the announcement.

Q Did the camp staff, or any of them, take any action on this happening ? A When we made the second announcement a larger number were coming out of the camps on to the main roadway, and there was quite a crowd of them in front of the van and one soldier, a Wehrmacht soldier to judge from his uniform, shot into the air repeatedly, lowering his rifle gradually until it reached an angle of about 30 degrees, at which point I walked up to him, covered him with my revolver, and told him to stop shooting. He stopped.

Q You say he was lowering his rifle. If you had not stopped him what would have happened ? A I am almost certain that one of his shots would have hit some prisoners who were not very far away from him and immediately in the line of his fire.

Q Did anybody else interfere with the internees at all ? A Yes, a number of the internees themselves, who were recognisable by their blue and white striped concentration camp clothing, started running about amongst the throng of people, striking various inmates of the camp. As far as I could judge they had flat pieces of wood which might have been sections of a packing case and some of them were armed with sticks. They ran about dealing out blows as they did so.

Q Did you subsequently find out who these people were who were dealing these blows ? A I found out from talking to inmates of the camp that they were what is known as functionaries, that is, inmates who were given special disciplinary powers over their other inmates. They had various names: Lageraltester, blockaltester, and stellvertreter and capo, a fairly complicated hierarchy.

Q What sort of force were they using ? A Very considerable force. The sticks were raised back as far as it was reasonably possible to raise them and the blows made a very sickening noise. I saw one inmate lying on his back still being struck while he was on the ground. I also noticed that he was in a very thin and looked in rather sick condition.

Q Was there the slightest necessity that you could see for the use of this force ? A Not that I could see.

Q From your own experience in the camp thereafter, was it difficult to control the internees with or without force ? A No, it was perfectly possible to control them without force. In the subsequent two or three days we used a loudspeaker car continually every day from very early in the morning in order to control the camp. One thing which we did was to go round the camp telling the inmates that they must return to their compounds before any food would be distributed, and we found it perfectly possible to get them all to return into their compounds for the distribution of food simply by going round and round the camp making loudspeaker announcements and giving

loudspeaker instructions in the various languages of the inmates.

Q I think the first day, as you told us, you were in the camp. Did you see very much of the camp in detail on that day ? A In the evening I came down into the camp with Colonel Taylor and later Brigadier Glyn-Hughes joined us. We had some conversation with Kramer, asked him a number of questions about conditions in the camp, about the amount of food and about the water supply.

Q In that conversation did Kramer indicate his own position in the camp ? A Yes, he said that he could not control the camp without being armed -----

Q May I interrupt you for a moment. Did he tell you what his position in the camp was ? A He said he was the commandant of the camp. I also asked him if he was the responsible commandant of the camp, using the German word "Vorantwertlich", to which he said Yes.

Q Did you ask what food the prisoners had in the camp; what their meals were ? A Yes. He told me that they got food twice a day and that it consisted of turnip soup. I asked him if they got any bread and he said: "Not regularly, but whenever possible".

Q Did he state whether they had had any bread recently ? A No, he was very vague about the bread.

Q Did you ask him at all about the water supply ? A Yes, I asked him where the inmates were obtaining water from and he told me that the main supply, which was the normal supply, was completely cut off because of damage to the Hanover electric power system.

Q Did you ask him what water supply the prisoners had in fact at the time ? A Yes. He told me that there were a number of tanks of static water in the camp and I asked him whether the water was taken round by water carts, and he answered No, and that all inmates have to get it the best way they can.

Q Did you subsequently see what water supply was in fact available ? A Yes, I saw the concrete basins of water and they appeared to be filled with extremely dirty water, and one could observe foreign bodies floating in them, such as, for example, bits of leather and rags of clothing.

Q Was there any other water available either for drinking or for washing to the inmates ? A I did not see any and Kramer did not mention any.

Q Subsequently was anything recovered from these concrete basins ? A I was informed by a medical officer that at least one dead body had been found in one of these basins.

Q About how many of these tanks containing any water were there ? A Approximately five; I am not quite certain that that is a completely accurate figure.

(At 1305 hours the Court adjourns).

(At 1430 hours the Court reassembles).

(The accused are again brought before the Court).

Examination by COL BACKHOUSE continued.

Q You told us about the conversation between Lt. Col. Taylor, yourself and Kramer about the food and water supply and so on. Did you then go to Kramer's office? A Yes.

Q What was his general attitude? A His general attitude when we got into his office was a confident one. He sat back in his arm chair and tilted his hat back and was generally much more confident, or appeared to be so.

Q Did he at any time express any emotion about the camp? A No.

Q Was anything said in that office about the books of the camp? A Yes, on behalf of Col. Taylor I instructed Kramer to produce a nominal roll of all S.S. personnel in the camp, and afterwards asked him whether there were any personal documents of the prisoners in the camp.

Q What was his reply to that? A He said that all the documents had been destroyed on orders from Berlin, with the possible exception of the documents of 2,000 prisoners.

Q Did he produce the documents of which he spoke? A No; he sent an S.S. N.C.O. into another room with instructions to find them but the N.C.O. returned and reported that they were not to be found.

Q By this time were you joined by Brigadier Glyn-Hughes? A Yes.

Q Shortly afterwards did a Wehrmacht officer come to the office? A He did not come to the office; we left the office and were talking outside in the compound when a Wehrmacht officer came up to us.

Q What did he come for? A He came to tell us, to use his words, that the kitchens were being stormed.

Q Did the party then go to the kitchen in question? A Yes.

Q What did you find when you got there? A There were very few people in the neighbourhood of the kitchen and there was one S.S. man inside the kitchen behind one of the big copper cauldrons.

Q Did he do anything? A No, I asked him a question. I asked him in what way the kitchens had been interfered with, or the way his kitchen had been interfered with.

Q What was his reply? A He replied by lifting the lid of the copper cauldron and pointing out to me that the level of the soup inside it was about a foot below the top.

Q Was there any sign of disorder? A No, not that I could see.

Q Where did you go from there? A I went out of the kitchen and asked Kramer if that was the extent of the unrest which the Wehrmacht captain had reported to us.

Q What was Kramer's reply? A He told me that the potato patch had also been plundered.

Q Did you go then to the potato patch? A Yes, I walked down in company with Brigadier Glyn Hughes and Col. Taylor and other officers to the potato patch.

Q What did you find when you got there? A We found, or I first noticed a woman on her knees turning over the straw with her fingers apparently attempting to unearth the potatoes under the straw.

Q What happened then? A I suggested to her that she should go back to her compound, but she took no notice and continued to try to unearth the potatoes.

Q Did Kramer make any remark about that? A He simply pointed to her and said to me: "You see what I mean".

Q Were there any S.S. men about? A. Yes.

Q About how many? A. I noticed at least three

Q Did Brigadier Glyn Hughes draw your attention to anyone else? A. Yes, he drew my attention to a man lying on the ground.

Q What was his condition? A. His condition appeared to be very bad; there was blood on his face and he was rolling his eyes so that one could not see very much except the whites of his eyes.

Q Were there any other persons about? A. Yes, there were a number of camp inmates walking about and I noticed some of them kneeling down and attempting to unearth potatoes.

Q Were the S.S. or any of them making any attempts to assist the man who was lying on the ground? A. No; Brigadier Glyn Hughes said that the first man he noticed should be got on to a stretcher.

Q You say "The first man". Was there more than one man? A. Yes, as I walked further along to the other end of the potato patch I noticed several other men lying about apparently in a very critical condition.

Q Did Brigadier Glyn Hughes give any orders to Kramer? A. I gave an order to Kramer on my own initiative. On the suggestion of my sergeant I ordered him to pick up one of the bodies and carry it away himself.

Q At some time in this period did you notice any movement of prisoners? A. Physical movement?

Q Yes, moving in any direction? A. No; there was a general strolling about of prisoners.

Q Was Kramer given any instructions with regard to that? A. Yes, as we were anxious that the prisoners should return to their compounds I instructed Kramer to stand in a gateway and dissuade them from coming out.

Q What was Kramer's reply to that order? A. He said he was unable to do this, or would be unable to do this without firearms and that unfortunately his revolver had been removed from him.

Q Was a British N.C.O. posted there? A. I do not remember whether it was an N.C.O., it was a British soldier. I asked him to go to try to dissuade people from coming out and he did so with moderate success.

Q For the next few days or some days did you remain there as interpreter for Lt. Col. Taylor? A. Yes.

Q I do not want you to go into any particular detail, but what was the general state of that camp? A. The general state of the camp was one of unbelievable congestion when one went into the blocks; another feature which very soon attracted one's attention was the masses of dead lying everywhere - not everywhere because they had been placed for the most part away from the main thoroughfare of the camp. Can I mention a third feature? The third feature was the people who came out and died in the open air. One used to see them walking about and then one by one they would lay down and the verges of the footpaths through the camp were littered with people still living but they never appeared to move from where they had laid down. One fourth impression I could mention was the complete lack of sanitary facilities. In nearly every compound all through the day and whenever I visited them at night there were people fulfilling the needs of nature in the open.

Q Is there anything further? A. There were always cries for help, if one went into certain blocks, from the women in there. That I think was another very strong impression one received at Belsen.

Q What was the general appearance of the inmates? A. The general appearance of the inmates with a few exceptions was one of extreme weakness and in the majority of cases an almost unbelievable lack of flesh from the bones; there were inmates

WHO CAME TO US WITH GUNPOWDER ON THEIR BODIES AND ASKED FOR MEDICAL CARE  
suffering from dysentery who also wanted help.

ROSS-EXAMINED by MAJOR WILHOUD.

Q When you put the first question to Krämer regarding the types of internees, is it correct to say that his answer in German was: "Sohntaftlunge, Brüderbrüder, schwerverbrecher, homossexualen?" A. No, what he answered was brüderbrüder, schwerverbrecher and homossexualen.

Q Did he mention the word "Sohntaftlunge" at all? A. Yes, in answer to a direct question of mine.

Q Is it not a fact that after the conclusion of the Anglo-German agreement about the handing over of Belsen camp to the British that the Wehrmacht were in charge of it pending arrival of the British troops? A. I did not take any part in the negotiation of the agreement and I am afraid I am not competent to answer the question.

Q When you went into the camp with your loud speaker van can you say at all how many people gathered round you? A. Several hundred.

Q You mentioned that the British troops had little difficulty in curbing the internees. Would you not agree that that was entirely due to the fact that they were friends and they had a loud speaker? A. That they were friends was certainly a very important factor; the loud speaker was a factor but on several occasions the organisation and feeding was carried out without the use of the loud speaker and without any force being used.

Q I have two questions about these water tanks. How many did you actually see yourself? A. To the best of my knowledge, five.

Q Were they full of water? A. Two of them were fairly full, about the other three I am not certain the third I am almost certain was full, but the other two I am not sure of.

Q You mentioned the occasion the Hungarian soldier fired shots. Was it not true the internees were making their way to one of the cookhouses which was just by the loud speaker? A. It was not a Hungarian soldier, it was a German soldier.

Q Is it not true that there were a crowd of internees making their way towards that cookhouse? A. It is possible.

Q When you went to this cookhouse you found a cauldron of soup. Is it true that in fact food was cooked on the 15th April before you arrived? A. Apparently.

Q And was it issued out? A. I did not see it issued out.

Q Were you present in the evening when a German truck with bread arrived? A. No.

Q Did you see bread in the camp on the following day? A. Yes.

CROSS-EXAMINED BY CAPT. MURDOCH

Q I understand that there were a number of Hungarian troops on guard in the camp; is that correct? A. Yes.

Q On your arrival at the camp how did you find the state of discipline of these Hungarian troops? A. I can only say that I saw one Hungarian soldier hitting a prisoner with a stick; whether or not that has any connection with discipline, I do not know.

Q Did they appear to be under the control of their own officers and N.C.O.'s? A. Yes.

Q Did you have much to do with them yourself? A. Subsequently they were used to form labour parties and in that capacity I used them.

Q In that capacity did they give you any trouble? A. No, but they were not very satisfactory workers.

Q What was their attitude to the Wehrmacht officers? A. There was nothing striking about their attitude; as far as we could judge it was normal.

Q Then you brought your truck into the camp the crowd surged towards it.

That is a correct description, is it? And a soldier fired shots.

That was a Hungarian soldier?

A No, a Wehrmacht soldier.

Q When you saw this crowd approach your truck, what sort of aspect did it appear to bear ? A. Very enthusiastic, I suppose. I would just add to that that in the women's camp the noise of weeping and laughing was so loud that the announcement was inaudible.

Q Might the appearance of that crowd surging towards you have been mistaken for a menacing attitude ? A. No.

Q Regarding the shots which were fired, they were over the heads of the crowd; is that right ? A. The shots that were fired were over the heads of the crowd, yes.

Q How many were fired ? A. A good number; I could not say exactly, but I should say at least twenty to thirty. I also did previously, I think, try to explain that the rifle was being lowered through an arc.

Q But you did not stop the soldier firing until you saw the next shot might hit somebody; is that right ? A. I stopped him as soon as I could. The loud speaker car was some distance away and there were people in between, and it took me a little time to get over to him.

Q Later that night were there any disturbances on the part of the inmates ? A. Yes, there were.

Q Were they quelled ? A. To judge from the appearance of the camp the next morning they were. The store was still full, quite a lot of meat, bread, and, as far as I remember, some stocks of flour were there. It is, however, true that a good deal of clothing was apparently removed by the inmates from certain stores in the camp.

Q Can you say of your own knowledge what means were employed to stop those disturbances ? A. I know that at least one British sentry fired shots into the air. In other respects I imagine simply talking to people was effective.

Q I take it that by this time it was British soldiers who were responsible for keeping order ? A. Yes, keeping order. I think it is worth adding that this, as far as I know, was the first and last night on which this large scale looting took place.

Q I take it also that the prisoners knew the British soldiers were liberators and not custodians ? A. To judge from the welcome they gave us they certainly did.

Q You told us in your examination-in-chief that corpses had been found later in the concrete basements ? A. No, I said that I had been informed by a British medical officer as to that.

Q You did not see them yourself ? A. No.

Q Therefore you cannot tell us when they got there can you ? A. No.

Q How many male guards were there when you arrived ? A. According to information which Kramer gave me there were, as far as I can remember, four to give hundred, but those are approximate figures, and that included Hungarians and Wehrmacht.

Q Excluding the Hungarians and the Wehrmacht, did you ascertain how many S.S. male guards there were ? A. Approximately 55, but they were not guards. They were supposed to be administrative staff.

Q How many female administrative personnel ? A. I never had an exact figure. I am under the impression it was about a dozen or fifteen.

Cross-examined by MAJOR CRANFIELD.

Q Kramer told you that the camp contained habitual criminals, felons, and homo-sexuals. Have you any reason to think that that was not so ? A. No; it was certainly the case that the camp contained a very small number of habitual criminals, but as to homo-sexuals I cannot give you any information - -

Q Do I understand from that that your answer is no ? A. My answer is that I know the camp had habitual criminals - - -

Q I will repeat the question. Kramer told you that the camp contained habitual criminals, felons, and homo-sexuals. Had you any reason to think that that was not so ? A. No, none. I also have reason to believe it was an incomplete statement.

Q Would you agree that on arrival of the British troops a great change, a transformation, took place in the camp ? A. In what respect ? What sort of transformation ?

Q I will read to you a passage from the prosecuting officer's opening speech. It is on page 26 of the transcript of the first day:- "Captain Sington will tell you that although that is a description which is given of that camp by the medical officer, they did not see it until a great change had taken place. He says that after he had arrived and made his announcement that they were free, although the position was still this dirty collection of living skeletons in rags shuffling about and not properly understanding what was happening, he says that was indescribably better than the condition when he went in there before they knew they were free." Do you agree with that ? A. Yes, completely; I should say when we entered, when the S.S. were still in control, there was an atmosphere of terror about the place, and the people were behaving like terrified animals. I should say by about eight o'clock that evening the British officers and other ranks - - - - -

Q I do not want to stop you unnecessarily, but as far as I am concerned the only answer I require to my question is yes or no. A. Yes.

Q You have spoken of a prisoner being struck by an instrument which you described as a piece of packing case. Would a fair description of that be a length of deal, one inch wide and, we will say, a yard long ? Is that what you saw being used ? A. I should say about a yard and a half.

Q Otherwise you agree with the description I have given ? A. Yes; I would emphasise that there were also other implements being used.

Q If you were a cruel person, intent on beating the prisoners under you savagely, so savagely that they would bleed and have to go to hospital, would you choose - -

THE JUDGE ADVOCATE: Is not that a matter of comment and a matter for the court to decide ? I do not think that is a question you should put to this witness.

MAJOR CRANFIELD: If you please.

Cross-examined by CAPTAIN ROBERTS

Q You said that there were, so far as you knew, about 55 S.S. men at the camp when you arrived. How was that figure arrived at ? Was it just an estimate ? A. No, it was a result of a nominal roll supplied by Kramer.

Q Did you check that list against the S.S. personnel in the camp ? A. No.

Q Did anybody check it ? A. Do you mean was there a roll call of S.S. at any time against the list ?

Q I mean you were given a list of S.S. men in the camp. Do you know if anybody ever checked that list against the S.S. men who were actually in the camp ?  
A. I do not know.

Q Were the S.S. personnel placed under any restraint the first day you arrived there ? A. On the day we arrived they were informed by Colonel Taylor that for any inmate of the camp who was shot one S.S. man would be shot.

Q I do not mean that. I mean was their personal liberty curtailed at all ? Were they confined to camp or put in prison or anything ? A. They were confined to the camp, but under the agreement I understand it was their duty to co-operate with the British in handing over the camp. On the following day Kremer was driven round the camp in a jeep, handcuffed and stripped to the waist.

Q Am I right in saying that apart from any military obligation imposed on the S.S. by the terms of the agreement, there was no other restraint placed on the S.S. in the camp that day ? A. I was not responsible for the camp. It is impossible for me to answer the question.

Q Do you know when the first roll call or check of the S.S. personnel in that camp was carried out ? A. No.

Q When you visited the kitchen and the episode of the soup took place, was the cook armed ? A. I do not remember. It was rather dark in that kitchen.

Cross-examined by CAPTAIN BROWN

Q Do you know if any S.S. guards came back or were brought back to the camp after you arrived ? A. I never heard of any being brought back.

Cross-examined by CAPTAIN FIELDEN

Q Can you say from what you saw when you first arrived at the camp whether any system was in force to restrain movement from one compound to another ?  
A. Only from what I heard afterwards from the inmates of the camp. Segregation as between the men's camp and women's camp was apparently strictly enforced, but movement from one compound to another, I could not say how strictly that was enforced.

Q Were there any guards posted at the entrances from one compound to another ?  
A. No, I never noticed a system of guards as between the compounds. I should think not.

CAPT. CORBALLY: No cross-examination.

Cross-examined by CAPTAIN HEAVER

Q You told the court in your examination that at one point in your travels through the camp you saw internees themselves running about dealing out blows among the throng. Can you tell us how many of these internees you saw doing that approximately ? A. In this particular throng about 12.

Q You then told us that you talked with some of the internees yourself and they told you that the people whom you saw behaving like that had some special powers. Can you give us some idea of what these inmates told you about these powers ? A. Well, what I was told was that the powers of the Blockaltesters were disciplinary, that is, they were responsible for carrying out the roll call in the morning, and they were also responsible for what was called discipline inside the huts to the extent that if some forbidden articles were found there, such as a bit of chocolate, the Blockaltester would be held responsible and would take drastic action against the person concerned. I should add one important point that I was told that they were also responsible for distribution of food, that is, they had teams of helpers, perhaps 15 or 20 to each hut, who would carry bins of soup into the huts which would then be distributed under the supervision of the Blockaltester, and in the same way people under their supervision would collect bread from the bread stores and distribute it under the supervision of the Blockaltester.

Q. From the information you got from these internees with whom you spoke did you come to the conclusion that these blockaltesters and so on were members of the camp staff? A. No, they were definitely internees or prisoners, inmates of the camp nominated and exploited by the camp staff. In particular, I was told a large number were professional criminals who were being used in this particular way, that is to say thieves or murderers.

Q. To be a blockaltester then was to hold a purely honorary position in every sense? A. Except that I understand there were certain bonuses; for instance the distribution of the food, very often unscrupulous blockaltesters could improve their standard of living.

Q. Taking a round figure of 12 of these people you saw rushing about hitting prisoners can you recognise any of those 12 in the dock? A. No. I can recognise one prisoner who I arrested on the strength of evidence supplied to me subsequently by inmates of the camp, but I cannot say I recognise him or any other as one of the 12 I saw beating people on the afternoon of April 15th.

CAPT. PHILLIPS: No questions.

Cross-examined by LT. BOYD.

Q. I think you said this morning that Kramer did not tell you that there had not been bread for some days; is that so? A. I said he was rather vague about the bread. I do not remember him saying there had not been bread for some days. What he did tell me was the distribution of bread had become a rare thing.

Q. Do you remember making an affidavit before Lt. Col. Genn? A. Yes.

Q. Do you remember saying in that affidavit: "He" - Kramer - "then stated that the prisoners were having two meals daily, each consisting of soup, but that bread was very short and there had recently been none for days at a time"? A. It is very difficult for me to remember his exact words ----

THE JUDGE ADVOCATE: That is not the question. The question is: do you remember making that statement in the affidavit. The answer to that is "I do", or "I don't", or "Let me see the affidavit first", whichever you like.

A. Could I see the affidavit? (Same handed)

LT. BOYD: It is paragraph 8. A. Yes.

THE JUDGE ADVOCATE: Having seen that document do you agree you must have said something like that? A. Yes, I do.

LT. BOYD: Do not you think that is rather different from what you are saying now? A. No.

Q. You consider then that to say "there had recently been none for days at a time" is exactly the same as saying that at various times there had not been much? You did not mean then that there had been none for quite a number of days?

THE JUDGE ADVOCATE: We must get this right. The court have heard what he said in the affidavit. What I understood him to say here was: "What Kramer said was that the distribution of bread had become a rare thing." A. Yes.

THE JUDGE ADVOCATE: What he said at the affidavit you have already got. Now you can find any question on those two, but keep to what the witness did actually say.

LT. BOYD: I will leave that. (To the witness) I think you also said this morning you were told by the doctor he had found one corpse in one of the concrete basins, one of these water basins? A. Yes.

Q. Do you remember saying in the affidavit: "Subsequently most of the concrete basins were found by the medical officers to contain several corpses"? A. It is possible that in the affidavit I said that, but it was not something that I saw myself and therefore it is not my direct evidence.

Q. But this one corpse you have told us about is not one you knew of your own knowledge, that is only one you heard of, is it? A. Yes. In other words, I am not in my mind quite clear whether the medical officer told me of several or one, but today I preferred to give the defendants the benefit of the doubt and said one.

Q. Did not you think you needed to be so careful when you made this affidavit? A. Yes, but I still think that it is a 50-50 possibility the medical officer said to me that there were several.

Q. This morning you also said, I think, when you were talking about the cabbage patch that there were at least three S.S. men standing there? A. Yes, to the best of my recollection there were.

Q. Did you say in your affidavit: "At least two, probably more, uniformed Germans who might have been S.S. or wehrmacht were standing at the patch"? A. Well, presumably they might have been S.S. or wehrmacht; one had very little time to look at the insignias on their tunic at that moment and they may have been wehrmacht. It was also in the evening and was getting dark.

Q. Do you also remember saying this morning that when you went into the compound you found - this was on the occasion the kitchen was being stormed - that the soup was one foot down from the top of the cauldron? A. Yes.

Q. And yet in your affidavit -----

THE JUDGE ADVOCATE: I do not want to interrupt you in any way, and you are entitled to carry on with this cross-examination if you wish to directed, I suppose, to invite the court to say the credibility of the witness has been somewhat shaken. But I think I ought to point out, in the interests of time, that these are very trivial discrepancies, are they not, which might happen with any honest witness who is trying to tell you a story which took place in somewhat difficult circumstances; whether there was one corpse or two, the height of the soup, or two or three S.S., will not affect, in my summing up, the credibility of the witness. If you have something of substance put it to him, but you must have something which strikes the court as fundamentally going to his discredit, not trivial discrepancies of this kind. Please do not think I am stopping you.

LT. BOYD: I have no further questions.

CAPT. de MUNRO: No questions.

Cross-examined by LT. JEDRZEJOWICZ.

Q. You mentioned in your deposition the words "block leaders." You were the interpreter. What words were used by the Germans in the Belsen camp in connection with this function? A. Blockaltester is the word. Block senior is the correct translation.

Q. Did you see much of these block seniors while in the camp? A. Yes, I saw a certain amount of them.

Q. Have you any knowledge while being in Belsen camp of any acts of revenge on the part of the prisoners against their fellow prisoners called block seniors or assistants or other smaller function? A. I saw seven dead bodies in a mutilated condition in the overflow camp, Camp No. 2, on the first morning, and it was reported to me they had just been killed by the inmates. They were lying in the square with their faces very badly mutilated and clothes partially removed.

THE JUDGE ADVOCATE: Did you say No.1 or No.2 camp? A. No.2.

Q. The newer camp? A. Yes. I also received a complaint from a girl in the camp that she had just been beaten by, not a blockaltester but by a stubendienst, which was lower down in the hierarchy, and showed me a bruise, which was very considerable, and subsequently the girl who she accused admitted she had inflicted the bruise and I put her temporarily under arrest.

LT. JEIRZEJOWICZ: Can one assume then that the bad types amongst those block seniors would have been dealt with by the prisoners themselves? A. I found no indication of that in Camp No.1, except for reports which reached me that certain prisoners had secured arms for the purpose of taking revenge. In actual fact I never heard of a case of such revenge being taken in No.1 Camp. With regard to No.2 Camp I have told you what I saw. I would like to add that in order to avoid such spontaneous action in revenge we carried out an enquiry to find out who were the worst of the blockaltesters to try and arrest them so as to prevent such disorders in the camp.

Q. How many did you arrest? A. I personally arrested three, including the girl who was only put under temporary arrest, and I recommended the arrest of four or five others. I cannot give you an exact figure at the moment. I heard that some of them escaped and I think that later some others were arrested.

Q. Was it known to all of the prisoners at the time who were there that it was possible for them to produce accusations or depositions against their senior prisoners? A. There was a committee of prisoners in the camp which was called the International Committee, and they were asked to state and produce cases against such people who had behaved in this brutal manner. It was done through a committee of the inmates of the camp.

Q. To get it clear, what would you say the more or less exact date would be after the liberation when the prisoners could really start producing those accusations. May I give an example. Would it be possible on the 15th or 16th, or later?

A. To my knowledge it did not happen as early as that; I never had a

report given to me as quickly as that. The first certain information

that I got was on the 20th April, I believe, five days later, when we

convened this committee and consulted them.

Q Would you say that the average of the prisoners would require a hospital cure before being able to remember anything against any single prisoner? A I should say in the case of a great number of the prisoners that would undoubtedly be the case because I know that after typhus there were prisoners who went mad because I saw them myself in the reception camp later on; there was a block set aside for people who had become mentally deranged. I should say it would be perfectly possible.

Q Would you think there was a sufficient average number of mentally able prisoners to go before the committee after the sixth? A I do not think I made myself quite clear. The committee did not exist until the fifth day, but up to then there had been continual reports coming to us, denunciations, but we did not feel able to act on them until we found whether they were frivolous or well-founded; we thought it better to consult some of the more responsible prisoners rather than acting immediately on every report that reached us. Plenty of reports came to me between the 15th and the 20th.

Q Did they have a committee per block or compound? A No, the first committee consisted of about three or four representatives of each nationality in the camp; I think there were three Frenchmen, two Russians, two or three Poles, and so on; that was the basis of it, but it was a spontaneous committee and it was not nominated by us.

Q How long would you say the senior prisoners were allowed to carry on their previous functions after the liberation? A Well, many of them were replaced in the first week, the better ones I should think carried on their functions until the whole camp was evacuated, that is to say the beginning of May, the first weeks of May, until the people were removed from the concentration camp to the reception camp.

Q Was there any difference between the women's compounds and the men's compounds in that respect? A I am not really qualified to answer that because I did not have to live under the system I do not think I know enough to say whether there was.

THE PRESIDENT: I do not think he meant that. I think he meant: was there a difference in the women's compounds and the men's compound say if they wanted people taken away. Put your question again.

MR. JENKINSON: All these questions I ask you, would your answer be the same for the men's compounds and the women's compounds or do you think about the men's compounds mainly? A No, I was thinking about both. In the case of the women there were several cases where women were surrounded in the camp and not actually injured but roughly handled. I do not remember that happening in the case of any of the men but there were many denunciations.

Re-examined by COL. MACHINIS

Q The only point I want to clear up is the question of the number of S.S. men. You told us that in the list Kramer gave you there were 55 or thereabouts. Is that the number who were still in the camp when the British arrived, or do you mean that is the number there had been altogether? A No, definitely the number in the camp when we arrived, but I did not see it on paper. I only heard Kramer give the figure to Col. Taylor across the table.

Q So there were 55 S.S. men in the camp when you arrived? A Yes.

THE JUDGE ADVOCATE: You went to the camp for the first time on the 15th April; is that right? A Yes.

Q It would be right to say that Kramer went there about four months before; would that be right? A I was told so subsequently, yes, about that -- I heard the month of November quoted, actually, when I was in the camp so it would be more than four months. 25

Q Five months? A. Yes.

Q You were present on the 15th and could speak of your own knowledge of the difficulties the British had to deal with and the conditions they had to deal with? A. Yes.

Q Have you any knowledge based on your own knowledge of the difficulties that Kramer had to meet in that camp in those five months and the facilities which were given to him by his superiors to meet such conditions as were there? A. No, but I know we managed to do things subsequently which he could have done.

Q Would you mind answering the question? A. I have no direct knowledge, no.

(The witness withdraws.)

(At 1710 hours the Court adjourns until 1000 hours Thursday 20th September, 1945.)

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